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OPINIONS, &c.

THE
OPINIONS
OF
LORDS WELLESLEY AND GRENVILLE,
ON THE
GOVERNMENT OF INDIA,
COMPARED AND EXAMINED.

LONDON:
J. HATCHARD AND SON, 187, PICCADILLY.
1832.

558.



LONDON:

ROBERTSON AND PALMER, PRINTERS, SAVOY STREET, STRAND.

THE OPINIONS, &c.

THE minister for India having declared in his place, that the momentous question relative to the future administration and commerce of India would not be brought under the consideration of Parliament in the present session, the time that is thus afforded us cannot be misapplied in taking a retrospective view of the opinions that were delivered by two of the distinguished statesmen who took part in the debates when the question was discussed in the year 1813, namely, Lords Wellesley and Grenville. The opposite views which were taken of the subject by these eminent men was the more remarkable, as upon all other questions, whether of Asiatic or of European policy, their opinions had been in strict accordance,

while a close degree of personal friendship was known to have subsisted between them from early life.

Lord Wellesley, whose brilliant career in the government of India, had given to his opinions a just claim to the attentive consideration of the legislature, proposed to vest in the East India Company, by a fresh legislative grant, all its former monopolies, in order to preserve that Company as the organ for the government of India. "It was his decided opinion that there
 "never was an organ of government in the world
 "so administered, as to demand more of estimation, than that of the East India Company."
 —"If their Lordships looked at the general
 "state of our empire in India, if they examined
 "it on those heads on which the grandeur of
 "an empire rested, if they looked at the removal of all foreign influence and intrigue,
 "at the suppression of all great dangers in that
 "country, at the regular consolidation of institutions and authorities, by which all were
 "brought into a common mass for the benefit
 "of the empire at large; if they adverted to the
 "state of solid peace in which countries were
 "now placed, that had at previous times been
 "constantly exposed to war and devastation,
 "they would see that the success of the administration of the government of the East India

“Company had been productive of strength, tranquillity, and happiness.”—“No government,” he said, “had ever better fulfilled its duties towards the people whom it governed, than that of India.”—“The existing system operated most beneficially for the advantage not only of the Company, but for that of the empire at large.” Lord Wellesley, therefore, deprecated any changes in that system, which should in the most remote degree operate to deprive the Company of those powers which were requisite to enable it to perform its functions effectually, as the organ of the government of India. He declared most solemnly that it appeared to him, from all the knowledge and experience which he had been enabled to acquire on the subject, that the trade to India was vital to the Company in their political character; he therefore dissented from the proposition which was then before the House for throwing open that trade to the enterprize and capital of the private merchant.*

These opinions were the more calculated to make a strong impression, because Lord Wellesley advocated the continuance of that system of government, under the mistaken direction of which, he had only a few years before been superseded in the government

* Parliamentary Debates, Vol. xxv. p. 675.

general; by which act all the advantages of his administration, and of the unexampled success which the energy of his character had given to his measures, were suddenly put to the hazard.

When a public man of such a character, of such high pretensions, and so wounded in his feelings, declared in Parliament that he considered the East India Company as the fittest instrument for conducting the government and commerce of India, it required the talents and authority of so distinguished a statesman as Lord Grenville to take up and sustain an opinion at variance with that of Lord Wellesley.

Lord Grenville prefaced his speech by informing the House that his attention had been called to the subject of India, upon his first entrance into public life. "Party violence then raged with unusual fury, and the course of events directed it particularly to this question. It was on this very ground that the government of the empire was disputed between the greatest statemen of the age."*

His first acquaintance with it was improved by a lengthened experience as a member of the first Board of Control, which was established in 1784. And in after life, his freedom for many years from official avocations had enabled him to qualify himself "for the

* Parliamentary Debates, Vol. xxv. p. 722.

“ awful duty, which had devolved upon Par-
 “ liament, by study and reflection ; so that
 “ imperfect as my notions may be,” said his
 lordship, “ they are not brought before the
 “ House without long, diligent, and repeated
 “ consideration.*

“ Other questions more deeply interesting to
 “ our own domestic concerns, affecting more
 “ nearly the prosperity or the safety of these
 “ Islands, may have occupied the deliberations
 “ of Parliament—one of such large, and almost
 “ boundless extent has certainly never yet
 “ been brought before us.”—“ Mynoble friend,”
 he observed, adverting to the opinions of Lord
 Wellesley, “ is anxious to determine it by a
 “ compendious and summary proceeding. It
 “ is his opinion that we should re-establish the
 “ now expiring system under which these
 “ great interests have been administered. He
 “ thinks, extraordinary as it may appear, that
 “ the Company is the only instrument through
 “ which the King and Parliament of Great
 “ Britain can safely administer their Indian
 “ empire. So strange, in his view of it, is the
 “ necessity of this unprecedented case, that
 “ we must carry on our commerce at a loss, in
 “ order to govern our empire to advantage.

“ He compels me then to ask, what is in

* Parliamentary Debates, vol. xxv. p. 752.

“ truth this practical and experienced good, to
 “ which all speculative wisdom must give way.
 “ For nearly twenty years after the acquisition
 “ of the Dewanny, the East India Company
 “ did really administer the political government
 “ of India. During that period, scarce five
 “ years—scarce three years can be found, in
 “ which the inherent vices of that form of ad-
 “ ministration did not forcibly compel the in-
 “ terposition of Parliament. Accordingly the
 “ law which passed in 1784, the very line of
 “ demarcation from which commences the
 “ good government of India—did actually com-
 “ mit the whole authority of the government
 “ to commissioners appointed by the crown.”
 “ If therefore praise be justly due, as I trust it
 “ is, to those who for the last thirty years have
 “ administered those high interests, to the
 “ servants of the state, both here and in India,
 “ that praise is due.”

“ It was true, indeed,” continued Lord
 Grenville, “ that the government, during that
 “ time, had been exercised in the name and
 “ on behalf of the Company, as the Company
 “ also has used the name of the Asiatic powers
 “ whose misrule it superseded. But much
 “ evil has arisen from this anomalous sys-
 “ tem—much evil to the natives of India—
 “ still more to the British interests in that

“ country. Governments of mixed and am-
 “ biguous origin; executive and judicial func-
 “ tions, flowing from different sources; military
 “ and civil powers not subjected to the same
 “ control; and armies joined in the same ser-
 “ vice, but recognizing distinct command—have
 “ already too much distracted our Indian em-
 “ pire—they have repeatedly led to confusion
 “ and civil discord; and if I am not greatly
 “ deceived, their continuance menaces the ex-
 “ istence of our empire with dangers yet more
 “ formidable.

“ Far from wishing to perpetuate these ano-
 “ malous arrangements, my judgment is en-
 “ tirely opposed to the continuance, under any
 “ form, of a system in which the character of
 “ sovereign and merchant are blended: they
 “ are characters every where incompatible in a
 “ cabinet, as in a trading company; as repug-
 “ nant to each other at Whitehall, as experi-
 “ ence has proved them to be in Leadenhall
 “ Street, and at Calcutta. Our former mea-
 “ sures would be deceitful guides: they were
 “ experiments never meant for permanence;
 “ to the extent and condition of our present
 “ Asiatic empire, they appear to me utterly
 “ inapplicable.”

Lord Grenville begged the House to bear in

mind, that the administration of which he had been a member, "saw ample reason, during the "continuance of the last charter, to regret that "they had placed out of the hands of Parliament so considerable a portion of the "national interests."

The act of 1784, which Lord Grenville considered to be a new epoch in the government of India, had hardly begun to operate, when the two authorities who, under it, were vested with the government at home, came into open collision, and as the circumstances which led to that contest, are strongly illustrative of the working of the present system, it may be advisable to state them somewhat in detail.

By a clause of that statute, the *Court of Directors* were specially directed to institute an inquiry into the origin and justice of certain debts which had been contracted by the nabobs of the Carnatic, as far as the materials in their possession enabled them to proceed, and these failing, they were further directed to order the government of Madras to complete the inquiry.

In conformity with this enactment, the Court of Directors prepared instructions for the government of Madras, directing them to institute a minute examination of the several claims ;

declaring, at the same time, such an inquiry to be an *indispensable preliminary* to any orders for their payment.

The Board of Control, however, to whom these instructions had been communicated, set them aside, and framed others upon a directly opposite principle—namely, that of payment *without previous inquiry*; and ordered the assignment of a particular fund for the purpose.

By another section of the same act, the Court of Directors were ordered to decide upon the conflicting claims of the Nabobs of the Carnatic, and the Rajah of Tanjore; the Rajah having complained, that the orders issued by the Company in 1775, for the complete restoration of his territories and property, had only partially been fulfilled by the Nabob; while the Nabob himself refused to relinquish his claims upon the Tanjore territory.

The Directors, in fulfilment of the duty which the act had devolved upon them, decided that a portion of the territory claimed by the Rajah should be restored to him. The Board of Control overruled this decision, refused the restoration of the territory, and ordered the Rajah of Tanjore to pay a large sum as arrears of tribute due to the Nabob.

The instructions so framed at the Board of Control, of which Board Lord Grenville was

then a member, were transmitted through the Court of Directors to the government of Madras, notwithstanding the solemn protest of that Court.

This was the first instance in which, under the system of government introduced in 1784, the Court of Directors were compelled to set their hands to orders, which were in direct *opposition* to their own recorded sentiments.*

Another remarkable instance occurred in 1788, when the same Board of Control converted a sentence of *censure*,† which the Court of Directors, in a dispatch to the government of Madras, had passed upon the conduct of Mr. Petrie, then a member of that government, into one of *approbation*.

In 1793, Lord Grenville, as a minister, and a member of the Board of Control, was a party in the contest which took place between that Board and the Court of Directors, preparatory to the renewal of the charter, when the Directors, declaring that there were “unconquerable obstacles to prevent any increase in the consumption of the manufactures of Great Britain, except through the medium of the Company,”‡ resisted, for a time, the

* Burke's Works, vol. ii. p. 367.

† Asiatic Register, vol. xii. p. 249.

‡ Report of Select Committee of the Directors, 1st September 1791, p. 17.

proposals made by Mr. Dundas, then President of the Board of Control, for a partial opening of the trade to and from India. When they also resisted his proposition for permitting British merchants to export (under proper restrictions) British manufactures on freight in the Company's ships, to any cessions that might be obtained by the crown, under treaty with the Emperor of China, distinct and separate from the continent of China,* stating it as their unanimous opinion that any interference with the exclusive trade to China would be attended with the most injurious consequences, and ought, therefore, to be most strenuously resisted. The Court at the same time expressed an opinion that no British agent should be suffered to lend money for the "benefit of foreigners engaged in trade, or to trade themselves to any place whatsoever on this side the Cape except to Great Britain; and that such agents should not be permitted to interfere at the Company's factories in the purchase of piece goods."†

Lord Grenville was also engaged in the renewed discussions which took place between

* Papers relative to negotiations for renewal of the Charter, 1793, part 7, p. 19.

† Papers respecting negotiations for the renewal of the Charter, No. 3, p. 54.

the Board of Control and the Court of Directors in 1794-5-6, relative to the payment of the private creditors of the Nabobs of the Carnatic; the result of which was the compulsory transmission, by the Court, of orders prepared at the Board, of a tenor directly at variance with the Court's recorded opinions.*

He also took part in the more serious discussions which occurred between the two Boards in 1799 and 1800, when it was proposed to the Directors to admit of an extension of the export trade from India, and the admission of India built ships to that trade; discussions which ended in an open collision between the two authorities, and in the enforcement of the orders of the Board of Control.

Finally, Lord Grenville as minister, in 1806, felt himself compelled to advise the crown to exercise the power vested in it by law, and to recal Sir George Barlow from the government of India, the Court of Directors having refused to nominate Lord Lauderdale, who had been selected for the office of Governor-General by ministers. After a tedious and protracted negotiation, the question was compromised by the appointment of Lord Minto to the government-general, and by the nomination of Sir George Barlow to the government of Madras.

* Papers printed by the Company in 1797.

With this experience of the system of government, as established in 1784, we cannot be surprised that Lord Grenville should have had the conviction forced upon his mind, that its continuance was fraught with danger to our Indian empire, and that the only measure by which such danger could be averted was to give to the British crown that sovereignty over India in name, the essential attributes of which it already possessed.

Lord Wellesley, indeed, although professedly anxious, as we have seen, to preserve the Company as the organ of government, was yet constrained to admit, that the existing system would be materially improved by giving to the crown a more direct influence in the government of India.* “I have always thought,” said his lordship, “that the power of the “executive government at home, over the executive government of the Company, was deficient both in strength and promptitude, and “that the Company’s administrative power “would derive strength and dignity from the “influence of the crown.”

In illustration of this opinion he alluded to “the serious evils which had arisen in India, “and which might arise again from a collision

* Parliamentary Debates, vol. xxv. p. 694, 695.

“ between two bodies who share the powers of government at home.”

“ A most essential point,” he said, “ was, that the local government should know to whom they were to be responsible. When they had received instructions such as they had formerly received, as to the most important system of policy which had ever been applied to our eastern empire, such instructions might be *disavowed at pleasure*, as in the important case in question *they had been*.* The local governments, as well as the Company, should be controlled, but not by an ambiguous authority.”

Lord Wellesley had experienced, during his own administration of the government of India, the mischievous effects of such a distribution of power; and if his lordship had been aware that the Court of Directors had framed a dispatch† expressive of their strong disapprobation of that system of policy which he had pursued, “ a system,” to use his own words, “ founded on a principle which, as experience had proved, had diffused peace over regions which were before all ruin and devastation, and which had extended British dominion where Christian voice had never been heard before;”

* Asiatic Annual Register, vol. vii. p. 293, 294.

† Parliamentary Debates, vol. xxvi. p. 927.

if, we say, he had been aware that the Court of Directors had censured that policy, and that the Board of Control had refused their sanction to such censure, he would not probably have expressed a doubt how far the "benefits which" had accrued from the existing system of the "Indian government were to be ascribed preferably to the power of the crown, or to that of the Company." The fact demonstrates, that there could be no difficulty, as his lordship supposes there would be, in ascertaining accurately "the effect of each of these authorities independent of the other, and the degree of merit which belonged to each respectively in the home government of India."

It is true, indeed, that the unceasing efforts of the Court of Directors did at length make such an impression upon the Controlling Board as to induce that authority to concur in the supercession of Lord Wellesley in 1805, at the moment when he was expecting to reap the substantial fruits of his enlarged and liberal policy, by the extension of British influence and the consolidation of our Indian empire, upon the basis which Lord Hastings, under a renewal of the same system of policy, was enabled to place it in 1818.

If Lord Wellesley had recurred to these facts, and had adverted at the same time to the strenuous opposition offered by the Court of

Directors to the liberal system of commercial policy which he had repeatedly and earnestly pressed upon their attention, he would hardly have hazarded the opinion that, "whether in a political or a commercial character, the *Company's* government had been distinguished by benefits conferred upon the people of India."

That system of commercial policy had for its main object the free admission of British subjects, native as well as European, to the trade between India and Europe, a privilege which had heretofore been enjoyed exclusively by foreigners. "Under the beneficial influence of the British government in India," said Lord Wellesley, in recommending that measure to the Court of Directors, "the produce and manufactures of the British territories in India have increased to an extent far exceeding the amount which the capital applicable to the purchase of the Company's investments can embrace."

"The wise policy, the just pretensions, and the increasing commercial resources and political power of Great Britain in India claim for her subjects the largest attainable share in the valuable and extensive commerce of such articles of Indian produce and manufacture as are necessarily excluded from the Company's investment."

"The interests of the Company and of th

“ British nation are undivided and inseparable,
 “ with relation to this important question.
 “ Every principle of justice and policy demands
 “ the extension of the utmost practicable faci-
 “ lity to the British merchants in India, for the
 “ export from India to the port of London, of the
 “ largest possible portion of the manufactures
 “ and produce of India,” “ so that the British
 “ merchants shall be enabled to enter into com-
 “ petition in the markets of Europe, with mer-
 “ chants trading in goods of a similar produce
 “ or manufacture, provided by foreign capital.”

“ Beneficial consequences of the utmost im-
 “ portance would certainly result to the British
 “ empire in India, from any considerable in-
 “ crease of its active capital, which is known
 “ not to bear a just proportion to the productive
 “ powers of the country.

“ The necessary effects of such an increase
 “ of capital in India would be to augment the
 “ produce and manufactures of your dominions
 “ to the full extent of any possible demand.
 “ The high rate of interest on money applied
 “ to mercantile purposes, and the charge of the
 “ public debt, would in consequence be dimi-
 “ nished in India, while every source, both of
 “ public and private credit, would be propor-
 “ tionably improved.”

“ I shall await,” said Lord Wellesley in conclusion, “ the result of this reference with a
 “ respectful but confident hope, that your
 “ liberality will confirm, to all the interests affected by this important measure, the lasting
 “ enjoyment of those commercial and political
 “ advantages which it has been my constant
 “ endeavour, under your countenance and favour, to cultivate, to improve, and to extend.”

In this expectation Lord Wellesley was disappointed; the Directors, upon the receipt of his letter, came to resolutions expressive of their entire disapprobation of the policy which he advocated, censuring at the same time the measures he had taken for its practical adoption, and signifying their determination to subvert it. Paragraphs of a dispatch, founded upon these resolutions, were in the usual routine of business transmitted for the sanction of the Board of Control; they were disapproved by that authority, upon the ground that they embraced points of great political importance, which might in their consequences deeply affect the interest of the state.

The Directors replied—“ If the Board meant
 “ to prohibit the transmission of the paragraphs
 “ to India—the Court took the liberty of representing that such prohibitions appeared

“ to them not to be within the legal exercise of
 “ the powers delegated to the Board by the act
 “ of 1793.”

The Commissioners answered, that as the immediate effect of the transmission of such orders to India, might be to “ prevent the public from enjoying the full advantages of the immense resources which the forests of India may afford to the maintenance, strength, and commerce of Great Britain,” and as the question was one of great magnitude and national importance, they must persevere in withholding their approbation.”

The Directors continued to press the paragraphs upon the Board, and remarked, that it was absolutely necessary that instructions should be sent out to the Governor General to prohibit him from persevering in a line of conduct which operated in a manner hostile to the rights of the Company.

The Commissioners interposed to prevent this censure from reaching Lord Wellesley, observing, that “under existing circumstances it would be unnecessary to send out any paragraphs, the tendency of which might be to occasion uneasiness in the mind of the Governor General, who, no doubt, acted upon this occasion in the manner which he

“conceived to be most conducive to the advancement of his employers.”

The Court of Directors having, in reply to this communication, stated, that it “*was* their intention to convey to the Governor General their marked disapprobation of his conduct,” the Commissioners were induced to bring the controversy to a conclusion, in a letter to the Directors, from which the following is an extract :

“The Board think it necessary that the Court of Directors should explicitly understand, that however much it may be their wish that their ideas of the interests of the East India Company and of the public (interests in their opinion inseparable) should coincide with those of the Court of Directors, they are by no means disposed, for the sake of securing that coincidence, to relinquish any points by which they think those interests may be promoted. They dare not show a marked contempt for what may be the opinion of the legislature—they dare not risk the adoption of measures which may counteract the regulations of Parliament in a matter of great political importance.” *

* State Papers in Asiatic Annual Register, vol. iii. p. 1—138 ; vol. iv. p. 1—94.

The Directors, in consequence of this interference of the Board of Control, withdrew the obnoxious dispatch, and entered into a negotiation with Ministers upon the great national question to which it related.

Lord Sidmouth, then Mr. Addington, in laying before Parliament the result of this conference, “expressed his regret at being compelled to say, that the Directors had not extended those facilities to the private merchants to which they were bound by the act of 1793, and if they had continued to show the disposition they had hitherto shown, he thought it would have become incumbent for Parliament to have interfered; but he had the satisfaction to state, that the Directors had declared their willingness to permit the employment of the India shipping in the present trade during the two next seasons, in order that a *fair experiment* might be made of its alleged advantages, or of the evils that were likely to result from it.”*

The Minister stated to the House, that the propositions which had been agreed to were to serve as the basis of a *future arrangement*, to be modified according to the result of the pro-

* Proceedings in Parliament. Asiatic Annual Register, vol. iv. p. 336.

posed experiment, but the Court of Directors construing it into a final determination of the points in dispute, prepared drafts of orders to that effect to the governments in India, which rekindled the controversy between the Court and the Board of Control.

Lord Dartmouth, the President of that Board, upon the receipt of these drafts observed,—
 “ I find most unexpectedly what I had con-
 “ sidered as a matter of experiment, upon the
 “ result of which the future regulations of the
 “ private trade was to be formed, is in these
 “ orders treated as a fixed and final determina-
 “ tion, as a permanent system, not hereafter to
 “ be departed from, as a regular code not in
 “ future to be infringed, by which in every cir-
 “ cumstance, and under all contingencies, that
 “ trade is to be regulated.” He in conse-
 quence altered the proposed dispatch in such
 a manner as made it conformable with the en-
 gagement into which the Directors had entered
 with the public.

Upon the receipt of the amended dispatch, the Court came to the following resolution:—
 “ That the letter received this morning from the
 “ Board, together with the commercial para-
 “ graphs to be transmitted to India, when taken
 “ together, demonstrate a decided and unequi-

“vocal intention of invading and destroying the
 “commercial rights and privileges of the East
 “India Company.” *

No impression having been made upon the Board of Control by this resolution, the Court of Proprietors were called upon to applaud the conduct of their executive, and by implication to condemn that of the King's Ministers. This was accordingly done in a resolution which was prepared by Mr. Twining, then a candidate for the direction, and carried by a large majority.†

The respective parts which the Board of Control and the Court of Directors took in this important question, important as it related to the interests both of India and England, are to be traced with sufficient clearness in the correspondence from which we have quoted. The strenuous opposition given by the Court of Directors to a plan which professed to have the benefit of both countries for its object, probably led Lord Grenville to express the apprehension that “no trading company had ever administered government for the happiness of its subjects ; and to express at the same time his invincible repugnance to the continued union in any shape of the discordant characters of merchant and sovereign.”

* Asiatic Annual Register, vol. iv. p. 344

† Ibid. p. 393.

The serious conflict between the two authorities, to which our attention has just been directed, ostensibly arose out of that provision of the act of 1793, which exempted the commercial affairs of the Company from the jurisdiction of the Controlling Board. With the view of preventing a repetition of such disputes, the *commercial* department was by the act of 1813 placed under the superintendence of the King's Commissioners.

That act, however, had hardly passed, when the two Boards again came to an open rupture upon another point with relation to their respective powers:

In 1801, the Court of Directors had come to the resolution of dismissing one of their officers from the service of the Company; and in 1803, they directed the Governor of Madras to make him a reimbursement for certain articles with which he had supplied the army, when serving with it as commissary; that government, not understanding the instructions, wrote home for an explanation, which was given by the Directors in a dispatch, dated the 27th August 1807. The explanatory dispatch was, in the usual course of business, submitted to the Board of Control, who, on the 30th of May, 1808, returned it to the Directors amended. On the 11th of February, 1809,

the Court of Directors remonstrated against the proposed amendments, and upon the Board's signifying their adherence to them, the Court, under the advice of their law officers, which was given on the 4th of March, 1809, refused to send out the dispatch as altered, upon the plea, that the Commissioners had no legal authority to make the alteration which they had introduced.

No further steps appear to have been taken in the business for *three years*, when the Court of Directors, on the 12th of June 1812, were reminded by the Board of Control that the dispatch had not been sent out. No notice having been taken of this, the attention of the Directors was, after another interval of two years, in June 1814, recalled to the subject, upon which occasion the Court of Directors again questioned the right of the Commissioners to interfere, and declined to forward the dispatch. This resistance to their authority led the Commissioners to apply to the King's Bench for a mandamus, commanding the Directors to transmit the dispatch. The Directors upon this appealed to the King in Council, and that tribunal having determined in favour of the Commissioners, a writ issued from the King's Bench commanding obedience on the part of the Directors.

This was at length yielded, not however until another strong protest had been recorded by the Directors, in which the Board of Commissioners were formally charged with having usurped powers which the law did not recognize, and the Privy Council was accused of having acted with partiality. *

The subject was then brought before the Court of Proprietors, where, in the course of debate, it was observed, that not the smallest ground existed on which his Majesty in Council could call on the Court of Directors to obey the order of the Board of Control in relation to this dispatch; that Ministers ought not to be permitted to act contrary to the fair meaning of the legislature; that even the King in Council ought in every instance to act up to the spirit of the law; that the decision of the King in Council proceeded on a misrepresentation of the act of Parliament; that it assumed a jurisdiction dangerous to the Company, and no less dangerous to the empire, and gave the Board of Control an authority which they ought not to possess; that the Court of King's Bench had no right to be guided by the decision of the King in Council; that they ought to have looked at the act of Parliament, and to have given its just interpretation. The Proprietors

* Asiatic Journal, vol. i. p. 389—404.

were called upon strenuously to resist the dangerous encroachments of the King's government, which it was said threatened the very existence of the Company. They were reminded of the victory which the Directors had formerly gained when the Court of Directors contested the right of the Board of Control to insert the word "commercial" in a dispatch. The Proprietors, it was said, had, upon that occasion, rallied round the executive body, and had completely succeeded in *putting down the Ministers*, and arresting the baneful effects that must inevitably have been produced by their interference.*

May it not have been from the use of such language, that Lord Grenville was led to question the propriety of maintaining "within our own government, and in the very heart of its metropolis, *another government* of more extended influence?"

This contest between the two authorities had scarcely ended, when another commenced, which arose out of an alteration made by the Board of Commissioners, in a dispatch which the Directors prepared to send to India, on the subject of the restoration of one of their servants to an office from which he had been suspended by the government of Madras. After warm debates, and much altercation

* Asiatic Journal, vol. i. p. 388.

in the Court itself, a dispatch was agreed to, and submitted to the Board.—“ That dispatch,” said the Chairman, in detailing the proceedings to the Court of Proprietors, “ was altered in such a way by the Board, that the Court could not agree to send it out in that shape, and they thought it necessary to consult the law authorities upon the question; that proceeding of course occupied some time, and the result of such reference to the law authorities was the communication of that result to the Board of Control. The Board had now, as he had already mentioned, returned their opinion; but the Court had not yet found time to consider that opinion. After all these proceedings, he hoped the matter would now arrive at its ultimate stage, when the Court of Directors would come to a *definitive resolution*.”

The Court of Proprietors, however, claimed a right to alter any dispatch upon this subject that might be framed by the Directors, although approved by the Commissioners, and suggested that the Directors should suspend the transmission of such a dispatch, until they had received the directions of their constituents. This claim was resisted by the Directors, with what success is no where stated.*

It is impossible to read the history of these con-

* Asiatic Journal, vol. i. p. 85.

tests without being reminded of the prediction uttered by Burke, when the present system for governing India was first proposed in 1784. "This scheme," he observed upon that occasion, "of reconciling a direction really and truly de-liberative with an office really and substantially controlling, is a sort of machinery that can be kept in order only a short time. Either the Directors will dwindle into clerks, or the Secretary of State, as has hitherto been the case, will leave every thing to them. If both should *affect activity*, collision, procrastination and delay, and in the end, *utter confusion* must ensue."* Sir John Malcolm, who quotes this prediction, acknowledges that its entire accomplishment has only been prevented by the temper, moderation, and knowledge of those who have been at the head of the separate branches of the Indian government.

The instances which have been adduced in the preceding pages, show too clearly that it contains within itself the elements of collision, delay, and confusion, and that when called into action, as they frequently are, harmony must be restored by an enforcement of the plenary powers which the law has vested in the Board of Commissioners. It is evidently a mistake, therefore, to represent the existing system as

* Sir John Malcolm's Political History of India, vol. ii. p. 97.

one of checks and balances, or to state, that the instructions for the government of India, which originate *pro formâ* with the Court of Directors, are generally acquiesced in by the Board of Control, without material alteration. The whole power of the government is in fact with that Board, and is exercised by them at their discretion: the only privilege left to the Directors, is that of offering suggestions, and of protesting when those suggestions are not adopted.

If, therefore, the government of India under the present system has, on the whole, been attended with successful results, that success has not been the consequence of the united management of the Board of Commissioners and the Court of Directors, but in consequence of the interposition of the Board in many questions of importance, when the Directors would have taken a course which would seem to have been at variance with the national interests.

The successful results of our administration in India, must, however, in fairness, be ascribed to the servants of the state in that country. It would be quite as irrelevant to the subject under discussion, to adduce the great achievements of Lawrence, Clive, Coote, and Warren Hastings, as proofs that the Court of Directors, under whose auspices they were achieved, was

an adequate organ for the Government of India, as it would be to quote the services rendered to the nation, since the establishment of the Board of Control, by Cornwallis, Wellesley, and Hastings, as affording satisfactory evidence of the excellence of the present system. The authorities in this country did indeed take an active part in establishing a permanent settlement of the revenue, and a system of judicature in India, and they are entitled to claim a fair share of any merit that may belong to those innovations upon the ancient usages of the country; but these measures can with no propriety be ascribed to a system which gives to one authority the name, and to the other all the attributes of government.

The question now to be determined is, whether the business of the India department is advanced or impeded by the double agency which is employed in conducting it? If, after considering the facts which have been detailed in the preceding pages, any doubt should remain on the subject, the selections from the India records which have recently been printed for the information of Parliament, may be referred to with advantage.

The first volume of these selections opens with a dispatch from the Bengal government, dated the 28th of October, 1808 :—" Deeming

“ the subject of your letter,” says the Court of Directors in reply, “ to be one of considerable importance, both in itself and its collateral bearings, we think it requisite to put you in full possession of our sentiments upon their contents.” Nearly *three years* were nevertheless permitted to elapse, before the Court conveyed their opinions upon this important subject; for their answer to the letter is dated February 1811, and could not possibly have reached India before July of that year.

The next document in the selection is an extract of a letter addressed by the Court of Directors, dated the 27th of November 1811, the object of which was to caution the government against extending the principles adopted by Lord Cornwallis for the settlement of the revenue in the lower provinces, to the upper provinces of Bengal.

“ We have perused,” say the Court, “ with attention the report of the Commissioners in the upper provinces, dated the 30th April 1808, which only reached us in September 1811, and the impression we have received from it is, that the proposed final settlement of the province would be premature, supposing the arrangement otherwise to be completely unexceptionable.”

In a dispatch dated the 5th September,

1808, the Bengal government informed the Court of Directors that the permanent settlement of the upper provinces was placed under the superintendence of the Board of Commissioners. The controlling authorities replied, that without the concurrence and direction of the Court, the permanent settlement was on no account to be concluded.

The Court of Directors having, for the first time, in a letter dated February 1810, noticed with disapprobation certain revenue arrangements which had been in progress since 1803, were informed, that the Bengal government had construed the *long silence* of the Court into an *approval* of their arrangements, and that to cancel them at that late period, if not an actual breach of faith, would occasion great discontent, and place the public tranquillity in jeopardy.*

In this correspondence may be traced the fruits of that system, which requires that before orders can be transmitted to India, they should be submitted, in the first instance, to a committee of the Directors. Having been discussed in that committee, they are sent to the Board of Control for revision; the amendments made at the Board of Control are again discussed in the committee of correspondence, and occasionally by the whole Court of Directors. If

* Selections from the East India Records, vol. i. p. 1—5, 134.

these alterations are acquiesced in, the process ends; but if disputed, the dispatch is again remitted to the Board of Control, with the reasons of the Court for objecting to it; and the Board, after having taken these objections into consideration, are empowered to issue their final instructions, which are imperative upon the Court. Every dispatch that goes to India is liable to this elaborate process, and the majority of them probably undergo it. Years are frequently consumed in controversies which have but one result—namely, that the Directors are eventually compelled to put their hands to orders which are known to be at direct variance with their own recorded opinions.

When we consider that the Directors, by whom this correspondence is conducted, are not brought together because there is any general agreement of opinion amongst them, or on account of any peculiar qualification for the important duties which they have to perform, but merely because they stand high on the list of the Court; when it is considered, moreover, that the whole agency employed in the transaction of this business is in a constant state of fluctuation, the president, members, and secretary to the Board of Control being renewed with every successive administration, whilst the chairman, the deputy, and a portion of the committee of correspondence, hold their respective

offices upon an annual tenure; that from this agency, persons of practical experience in the affairs of India are in a great measure excluded; and lastly, when we consider that Parliament is left in complete ignorance of every thing connected with the Indian administration, we shall be constrained to acknowledge, without imputing blame in any quarter, that a more defective system for managing the affairs of a great empire could not have been devised.

Except when at distant intervals public attention is called to some exploit of the Indian army, the affairs of India are scarcely mentioned in Parliament from one session to another; the consequence of this is, that when the subject is forced upon the legislature, there is an entire want of preparation among public men for the discussion of the momentous interests involved in it.

Nearly twenty-five years have elapsed since the financial state of India, with all the important questions connected with it, was submitted to the consideration of the House of Commons; Parliament is, in consequence, ignorant perhaps of the fact, certainly of the causes, which have gradually led to, and at length produced, a complete revolution in our commercial relations with India.

Among the reasons assigned by Lord Wellesley, in 1813, for not disturbing the system

of government and commerce which then existed, was the injury which he thought the manufactures of this country would sustain from an *inundation of the fabrics of India*;* Mr. Francis had, only a few years before, predicted the most serious consequences to the mother country from the continued drain of specie from *England* for the supply of *India*.† But it is now well known that *India* is inundated with fabrics, the produce of the *British loom*, while a considerable portion of her territorial revenue is annually transmitted *from India in specie*, to meet the demands of the home treasury.

“Such remittances,” observed Lord Grenville in 1813, “in whatever mode made, must
 “be detrimental in some degree to the prosperity of India. It is a drain for which no
 “return is made, but in protection and good government; yet if conducted through the
 “channel of an open trade, and limited most
 “scrupulously in their amount, by a due consideration of the country which supplies
 “them, I see no reason to believe them inconsistent with its rapid and permanent improvement. The fortunes realized by all who
 “govern, and by almost all who trade, are at
 “no distant period remitted also to the metropolis. It is, indeed, this last circumstance

* Parliamentary Debates, vol. xxv. p. 680.

† Asiatic Annual Register, vol. vi. p. 360.

“ which, in my judgment, is by far the most
 “ alarming, in the nature of our own connexion
 “ with India. How the pressure which this
 “ produces *can ever be resisted, is a fearful consi-*
 “ *deration.*” *

The pressure has greatly increased since Lord Grenville expressed this apprehension, not only in the amount remitted, but by the medium employed in remittance, which is in a great measure *bullion*. Whether these remittances have been regulated with a due regard for the country which supplies them, or what effect this continued and annually increasing drain of the precious metals must have upon the public revenue of India, and upon the great mass of the people who pay it, are questions which must necessarily engage the attention of the legislature.

We are bound, in the mean time, to consider without delay how that pressure is to be alleviated—“ how,” to use the words of Lord Grenville, “ we may draw from India, without
 “ injury to its prosperity, a just proportion of
 “ revenue; in what manner we shall enrich the
 “ metropolis without impoverishing the pro-
 “ vince:” for the province must inevitably be impoverished unless we diminish the demands for remittance, by reducing the expenditure of the home treasury.

* Parliamentary Debates, vol. xxv, p 733.

If no other objection existed to the maintenance of a double agency for conducting the affairs of the Indian government at home, the expense attending it would alone be an adequate motive for inquiring into the expediency of a change.

The establishment of the Board of Control is annually submitted to Parliament, but of the much larger establishment kept up at the India-house no public return is made; that it must be very large is obvious from the duty imposed upon it, which is to make a digest of the voluminous records received from India, to prepare drafts of the answers to the dispatches referred to in them, and to transmit copies of these records, with the drafts, to the Board of Control; a labour rendered particularly onerous, because it is obligatory upon the governments abroad to make every transaction, however insignificant, a matter of written record.

Sir John Malcolm informs us, that "patronage forms the principal object of persons who seek the direction, and their chief reward after having attained it."* The only check upon its exercise is the Court of Proprietors, over which the Directors, for reasons not necessary to state here, have for many years past exercised a preponderating influence. Is there not, therefore, good ground for appre-

* Political History of India, vol. ii. p. 119.

hending that the establishment at the India-house may be larger than is necessary for the performance even of those laborious duties?

The home, or "commercial patronage, is," as Lord Grenville informs us, "by far the most considerable source of that great political influence which the Company exercise in this country."* A very large portion of it is maintained for political purposes—that is, to enable the Directors to perform that share which the legislature has assigned to them in the government of India. A reduction of this establishment would be one means of lessening the demands of the home treasury, and would diminish in the same proportion the calls for remittances from India.

"It is well known," said Lord Grenville in 1813, "how great the influence of the King's Ministers already is in the appointment of those who are to exercise the supreme authorities in India, whether civil or military."† That influence was much increased by the act of 1813, which gave the crown a direct negative in such appointments. Sir John Malcolm spoke from a thorough knowledge of the subject when he said that the act of 1813 "compels agreement between Ministers and Directors, with regard to the persons selected

* Parliamentary Debates, vol. xxv. p. 723.

† Ibid. 724.

“for these offices;”* that is, the Directors are compelled eventually to accept a ministerial nominee—they may refuse Lord Lauderdale, but they must accept Lord Minto—they may reject Mr. Wallace, the alternative is Mr. Elliot—they may go so far as to nominate Sir John Malcolm, but the crown refusing its sanction to that nomination, they must consent to the substitution of Mr. Lushington.

As the form of nomination, however, remains with the Court of Directors, and as that body still possesses the means of obstructing the measures of the governors abroad, and even of proposing their recal, candidates for such offices find it politic in the first instance to canvass the Directors, and when their object has been gained, to propitiate that body by attending to the interests of their connexions in the India service.

Those connexions are numerous, because, as Sir John Malcolm has remarked, a seat in the Direction is chiefly sought for, as affording the means of providing for friends and relations. The Directors are, we learn from the same authority, paid in fact in patronage, and any curtailment of that patronage is sure to be looked upon as a deduction from their established wages.†

* Political History of India, vol. ii. p. 67.

† Ibid. vol. ii. p. 119, 120.

A portion of those wages must be paid to those friends who have been mainly instrumental in procuring the seat; namely, to the great houses of agency, who, it is well known, by coalescing, are able to insure the return of any candidate for the Direction. This demand must be satisfied before the Directors can find an opportunity of providing for their own connexions.

With these heavy calls upon them for appointments, it is not surprising that the Directors should be desirous of keeping up their patronage to the highest practicable standard. It is not, as Sir John Malcolm has justly observed, the fault of individuals, but of the system.

The Governors, on the other hand, from motives of personal gratification, as well as of political interest, are anxious to provide for the candidates who are sent to India. Hence, a multiplication of offices, and frequently the premature advancement of those who have the good fortune to have Directors or Ministers for their patrons—for Ministers, we must remember, bear their share in this initiatory patronage.

The motives which operate with the Directors, to allow of this ministerial participation, are stated with sufficient distinctness in the following extract of a speech delivered by their chairman, in the Court of Directors in 1809, when Lord Castlereagh was charged, in the

House of Commons, with having made this patronage subservient to his parliamentary interests.

“As to the point,” observed the chairman, “which had been stated of their (the Directors) violating the law, in allowing some patronage to the President of the Board of Control, and others of his Majesty’s Ministers, he considered that minor sacrifices of this sort might sometimes be essentially necessary to the interest of a corporation like the East India Company.” *

It cannot be doubted but that the possession of this share of patronage, for a long period, as in the case of the late Lord Melville, might be made powerfully instrumental in aiding the parliamentary influence of Ministers. The same remark applies to members of the Direction, who are also members of Parliament; more particularly to those members who, from seniority, or other pretensions, are usually called upon to preside in the Court.

To that community of interest which exists, with regard to patronage, between Ministers and the Directors under the present system, and to the avowed necessity of propitiating the controlling authority, we must ascribe the establishment, in 1805, of an independent government in Prince of Wales’s Island, and the

* Asiatic Annual Register, vol. ii. p. 232.

simultaneous appointment of a governor, commander-in chief, an admiral, a recorder, a chief secretary, and various subordinate functionaries.* After the exercise of this patronage for twenty-seven years, it was acknowledged that such an expensive apparatus for managing the affairs of a small island is not necessary, all the functions of the state being now united in the person of a single commissioner.

If India had been looked upon as a national concern, Parliament would probably have questioned the propriety of burthening the people of India with the expense of *three* supreme courts of judicature, consisting, as they do, of *three* judges in each, and a number of lucrative ministerial offices: such costly apparatus was obviously not necessary for administering English law to a few hundred Europeans, and it would hardly have sanctioned, deliberately, the means employed to give business to those tribunals, namely, the compulsory subjection of four or five hundred thousand natives to their jurisdiction.

If, again, the attention of Parliament had been habitually directed to India affairs, it seems probable that strong constitutional objections would have been urged to the grant, by the *Company*, of pensions to public men, in re-

* Asiatic Annual Register, vol. vii. p. 277. 308.

ward for services rendered to the state in India; because such men might be expected to take a conspicuous share in parliamentary discussions in which the Company would have a direct interest. The Lords Melville had both of them been so circumstanced. Lord Wellesley was actually in this predicament in 1813, and so would Lord Buckinghamshire have been, if he had not, upon his appointment to the India department in the preceding year, by his own act, placed in abeyance his pension during the time that he should preside at the Board of Control.

Four-and-twenty years have elapsed since the appointment of Commissioners both in India and in England, for adjusting the claims of private creditors upon the revenues of the Carnatic and Tanjore. What amount has been expended upon these commissions — and whether so many members are still required for investigating those claims—are questions which would long since have been thoroughly sifted by the Parliamentary Committee of Finance, if the salaries of the Commissioners, instead of being paid by the people of India, had been defrayed from the English treasury.

The patronage of these lucrative offices is in the Directors; but “it may be beneficial sometimes,” to use the language of the chairman, in the speech before quoted, “to the Company,

“ by placing such an appointment at the disposal of a Minister, to show, that though there may be differences of opinion between the Court of Directors and the President of the Board of Control, there is no personal hostility between the parties.

The President of the Board of Control, actuated by the same motives, may, in return, bestow upon the chairman of the Court of Directors some mark of ministerial favour, or assist his views in obtaining a seat in Parliament.

A consideration of these circumstances, and of the important fact, that the Court of Directors has the power of conferring pensions to the extent of two hundred pounds per annum, without the sanction either of the Board of Control or of the Court of Proprietors, may have led Lord Grenville to state that the manner in which the India patronage is now exercised “ contributes nothing to the security of the British constitution.”

“ Far more constitutional would it be, in my judgment,” he proceeds to say, “ that the responsibility of the nomination of those who are to exercise the supreme authorities in India, whether civil or military, should openly attach on those who have, in almost every

* Parliamentary Debates, vol. xxv. 782.

“ instance, for thirty years, discharged the duty
“ of selection.” *

Although Lord Grenville expressed his conviction that the patronage of office *in India* should remain in the hands of the local government, he yet appeared to think that some additional checks might be necessary to prevent its abuse. It does seem extraordinary indeed, that while just suspicions have always been entertained, of any attempt on the part of the crown to appropriate this patronage, so little jealousy should be felt at leaving it in the hands of the local governors ; for this patronage, enormous as it is in the amount of the salaries attached to the different offices, and of vast extent from the constant occurrence of vacancies arising from deaths and retirements, is not vested, as Lord Grenville supposed, in the government as a body, but is exclusively enjoyed by the governors.

When it is considered that each new governor has a new set of friends to provide for, personal and political, and when it is considered that the subjects of this patronage are entirely dependent upon the governors for appointments in the first instance, and for promotion afterwards, some provision of the legislature seems to be necessary for placing those who have not the advantage of special patrons out of the reach of

* Parliamentary Debates, vol. xxv. p. 724, 725.

favouritism, and to prevent at the same time the violation of the rule established by the acts of 1784 and 1793, of succession by seniority.

An adequate check might be found for the too frequent violation of this rule, if the Minister for India was obliged, with his annual budget, to submit to Parliament a return of all promotions and appointments made by the governors abroad within the year; and if the governors were enjoined to remit a brief extract of the services of each individual at the time of nomination, such a list might be referred to a Committee of the House, with instructions to make a special report on the subject.

Another effectual check would be the adoption of a suggestion made by the Court of Directors in 1820,* that the higher offices under the government should be eligible only to those who have served a certain number of years in the revenue administration of the provinces.

Such checks would prevent any serious abuses of the patronage of promotion in India; but abuse more or less must continue to prevail, unless an entire change be effected in the system under which the right of the initiatory patronage is exercised.

That there should be now nearly *one thousand Europeans* employed in the civil administration

* Life of Sir Thomas Munro, vol. ii. p. 14.

of India, is certainly no proof of our disinterested regard for the natives of that country. It is indeed only to be accounted for by the fact before adverted to, that the executive at home are paid in patronage, and have, therefore, a direct interest in multiplying appointments for the India service.

To the same cause we must trace the intricate and costly machinery by which the business of the government is conducted in India, where we have a board of revenue to manage one branch of the finance, a board of customs to manage another, an accountant-general to administer a third, and a finance secretary to conduct the correspondence between these subordinate boards, and the superior board, or board of council.

For the military department we have a military board, with a military secretary, and another military secretary for the medium of communication between the military board and the council board. A commercial secretary is maintained to answer the letters which are written by the secretary to the board of trade, which board has the superintendence of every thing connected with commerce.*

These boards, although fixed at the several presidencies, are supposed to control a host

* Returns of East India Civil Offices, printed by order of the House of Commons.

of European local administrators, who, under the name of commissioners, collectors, magistrates, judges, salt agents, opium agents, commercial residents, &c., administer affairs in the provinces. Of the proceedings of these nominally dependent, but really independent authorities, the government know nothing until they are officially advised of them by the respective boards, and then they know only as much as these boards may think it advisable to communicate.

As the communication between the different boards and the government is conducted in writing, this system of double agency multiplies records to a degree that is almost indefinite. If the government requires information upon any particular subject from the provinces, the ordinary course is, that the secretary to the government should write to the secretary of the board, the secretary of the board is to write to the provincial commissioner, and the commissioner is to write to the district officer; and travelling round the same circle, the information required at length reaches the local government; it is by the local government transmitted to the Court of Directors, and in due time finds its way to the controlling authority at Westminster.

The first page of those selections from the India records, from which we have already quoted, shows us at once the effects of this costly and intricate machinery upon the public interests. The Court of Directors are informed, in a letter from the Bengal government, dated the 28th October 1808, that the Board of Revenue and the Collector had been instructed in 1807, to carry into effect a regulation passed in that year for settling the revenue of the province of Cuttack for four years ; but that as very little progress had been made by those authorities in preparing the information which was indispensably necessary for the due discharge of the duty in question, the government had been compelled to adopt another plan, and, with a view of guarding against the recurrence of the disappointment, to appoint a special commission to see it carried into execution.*

There must be something very faulty in a system, under which the Government can, as in the instance here recited, be left in ignorance of public events, deeply affecting the interests of the state ; and that measures of importance directed by that government, should be defeated through the negligence of its subordinate officers.

In a despatch to the Bengal government,

* Printed Selections, vol. i. p. 1.

dated the 22d April 1818, the Court of Directors observe, “ We cannot refrain from expressing our surprise that you should have suffered three months to elapse after the fact of the insurrection (in Cuttack) had come to your knowledge, without making any communication to us upon an occurrence so deeply and painfully interesting ; we repeat our positive injunctions that we may not thus be kept in ignorance by our local governments of transactions well known to the public of this country from private letters and public journals.”

“ We take this occasion of mentioning the disappointment we have experienced at not having received the report of the commission which you appointed so long ago as the 24th April 1816, for the purpose of obtaining full and accurate information regarding the origin and causes of the disturbances in Bareilly.”*

But a still stronger instance of the pernicious consequences of an administration by a number of authorities, subordinate only in name to the government, is given in a dispatch to the Madras government, dated 16th December 1812, in which the Court of Directors express the regret they had felt “ at the deficiency of the information conveyed in the last letter of the

* Printed Selections, vol. i. p. 348.

“ Madras government respecting the general
“ state of their revenues. We naturally ex-
“ pected, that after suffering an interval of
“ more than two years from the date of your
“ preceding letter, you would have made a
“ point of transmitting the most ample intel-
“ ligence that could be procured down to the
“ latest possible period. Whereas, in the dis-
“ patch lately arrived, we find no information
“ that might not, and ought not to have been
“ communicated much more fully at an early
“ period of 1811. The intention announced by
“ you of concluding a settlement of the land
“ revenue in the valuable and extensive pro-
“ vinces under the administration of your
“ government, involves considerations of so
“ much importance with respect to the future
“ resources of the state, as well as the pros-
“ perity and security of the actual proprietors
“ and cultivators of the soil, that we must ex-
“ press to you our surprise that you should
“ have determined to adopt an arrangement of
“ this kind, without having first informed us of
“ the success that had attended the experiment
“ you had already made of leases upon the
“ principle of three years, and thereby have
“ enabled us to convey to you our final orders.
“ If any thing could add to our surprise, it
“ would be the very extraordinary and unwar-

“ rantable discretion assumed *by the Board of*
 “ *Revenue*, as appears by their report of the
 “ 30th January 1812, but which you pass over in
 “ silence in the dispatch before us, of having, of
 “ *their own accord*, issued instructions to the
 “ collectors of several districts to form village
 “ leases for the term we have described, to be-
 “ come at the expiration of such term perpe-
 “ tual, and this subject to no reservation what-
 “ ever, rendering the permanency of such leases
 “ conditional with respect to the eventual ap-
 “ probation of the government at home.”

The Directors concluded by ordering the
 Madras government to suspend the proceedings
 of the Board of Revenue, and to retrace their
 steps in every practicable case. These orders
 having been evaded, the Court of Directors
 again reproved the authorities at Madras, and
 express a hope that their reasons “ may admit
 “ of a satisfactory explanation, and that they
 “ are not attributable to so reprehensible a
 “ cause as a disposition on the part either of
 “ the board or of the collectors, to defeat the
 “ wishes and intentions of their superiors.”*

This further reproof is thus noticed by the
 government of Madras : “ The attention of the
 “ *Board of Revenue* has been drawn to those
 “ observations of your honourable Court.”

* Printed Selections, vol. i. pp. 525, 536,

An example equally striking is given in a dispatch from the Bengal government dated the 7th of October, 1815, in which the Directors are informed that a copy of the Court's dispatch dated the 7th of November 1814, ordering a reform in the judicial system at that presidency, has been transmitted to "the Board of Revenue and Commissioners, with instructions to report their sentiments generally on the arrangement suggested by your honourable Court.

"We have left at the discretion of the Nizamut Udalt, and the Board of Revenue, and Commissioners, to call for the sentiments of the most able and experienced officers respectively on the points noticed by your honourable Court.

"On the receipt of the required information, we shall have the honour to submit our sentiments in detail on the important questions which form the subject of your dispatch of the 9th of November 1814."*

One positive instruction of that dispatch of 1814, was to reduce the expense, and increase the efficiency of the judicial departments, by substituting *native* for European agency to the greatest possible extent. Instead of obeying

* Parliamentary Papers, July 1, 1819, East India affairs, p. 65.

this instruction, and of furnishing the promised information, the Bengal government urged upon the Court of Directors the necessity of sending out *more Europeans* to be employed in the internal administration. In a dispatch dated February, 1824, the government of Bengal was reminded that up to that period *no one part of the instructions of 1814 had been carried into execution.*

For information respecting the general effect of our system of government upon the character, happiness, and prosperity of the people, we may refer with confidence to the unimpeachable testimony of Lord Hastings :—

“ The present state of landed property in “ Bengal,” he observes, “ may be brought under “ review, as connected with the judicial administration, since it appears to have originated “ more from the practical operations of legal “ decisions, than from the fiscal regulations of “ this government. The powers which have “ been assumed by the auction purchasers, “ and probably by the original proprietors also, “ as in the instance of the Rajah of Burdwan, “ under the cover of summary suits, and the “ still more summary process of ejection, “ have *completely destroyed every shadow of a “ right in the tenants, and reduced a happy and*

*“ comparatively rich peasantry to the lowest stage
“ of indigence and penury.*

“ We seem to have accomplished a revolution
“ in the state of society, which has, by some un-
“ expected fatality, proved detrimental to gene-
“ ral morals, and by no means conducive to the
“ convenience of our government. Since the
“ first establishment of a Zilla Court in the
“ year 1780, and from the regular organiza-
“ tion of them in the year 1793, a new progeny
“ has grown up under our hand, and the prin-
“ cipal features which show themselves in a
“ generation thus formed beneath the shade of
“ our regulations, are a spirit of litigation which
“ our judicial establishments cannot meet, and
“ a morality certainly much deteriorated.

“ If in the system, or the practical execution
“ of it, we should be found to have relaxed
“ many ties of moral or religious restraint on
“ the conduct of individuals—to have destroyed
“ the influence of former institutions without
“ substituting any check in their place—to have
“ given loose to the most froward passions of
“ human nature, and dissolved the wholesome
“ control of public opinion and private censure,
“ we shall be forced to acknowledge, that our
“ regulations have been productive of a state of
“ things which imperiously calls on us to pro-

“vide an immediate remedy for so serious a mischief.”*

With a view of arresting the further progress of this mischief, the controlling authorities had in 1814 instructed the Bengal Government to introduce many important modifications into the system, pointing out at the same time the impolicy of attempting to extend it to countries which had recently come under our rule. The Commissioners who had been sent to inquire into an insurrectionary movement of a very serious character, which broke out in Barilly in 1816, frankly informed the government “that our mode of managing the revenue, and administering justice, was far from popular in Hindostan—that our courts of judicature were viewed as grievances by the higher classes, and not considered a blessing by the lower.” They therefore recommended to the government to consult the people themselves, before any measures “solely intended for the protection and benefit of the natives should be carried into effect.”

But neither this wise counsel of the Commissioners, nor the energetic representations of the Governor-General, or the orders of the controlling authorities in England, made any impression upon the Vice President in council, who,

* Parliamentary Papers, East India Affairs, p. 157.

in the absence of Lord Hastings, then with the army in the field, caused the whole code to be established in the territories ceded to us in 1817, by the Rajah of Nepaul; and this measure was followed up by an application to the Court of Directors for an additional number of writers.

Upon these proceedings of the provisional government of Bengal the controlling authorities recorded the following opinion in a dispatch dated February 1819.

“ After the anxiety which we have shown of
 “ late years in our correspondence with your
 “ government, particularly in our dispatch of
 “ the 9th of November 1814, for a reform in
 “ the administration of justice and police in
 “ the territories subject to your presidency,
 “ we cannot but view with astonishment the
 “ sudden and unqualified extension of the ex-
 “ isting system over new countries. With
 “ the evidence which that dispatch afforded, of
 “ the probability of its being shortly found ad-
 “ visable to introduce many changes and cor-
 “ rections into our system of jurisprudence,
 “ before your eyes; its precipitate and unqua-
 “ lified introduction into the ‘ *Deria Doon*,’ is
 “ the more extraordinary.”*

* Parliamentary Papers, p. 283

When we consider that the members of council owe their appointments exclusively to the Directors, and that many of them aspire to a seat in the Direction, upon their retirement from the service in India—an object chiefly dependent on the influence of the members of the direction for the time being,—when we consider, moreover, that the Directors are a permanent body, they being so in fact, though not nominated such for life, while the members of the Board of Control are liable to be changed with every revolution in the ministry, and that with a change of men may come a change of opinion,—we shall be constrained to admit, that under the present system, strong inducements are offered to persons so situated, to consult rather the known opinions of the Directors than their formal orders, particularly when those orders may, as in the case under consideration, go to prevent the increase of establishments.

That there is in the present system a tendency to such a result, appears obvious from a remark of Sir John Malcolm, who says, that although “ the Court of Directors have not a
 “ legal right to delay the transmission of the
 “ Board’s dispatches, still their condition as
 “ the head of a branch of the Indian govern-
 “ ment, and the means which they must pos-
 “ sess as such, of *aiding* or *obstructing* the

“ minor measures connected with any important resolution which the Board of Control may adopt, must always make it a matter of solicitude and importance for the Board to carry this committee along with them :”* and in another place he justly remarks, that the Court of Directors, who cannot claim political power in the administration of British India, “ should be debarred from seeking it through the means of their influence or patronage.”

“ From all experience,” we continue to borrow the words of Sir John Malcolm, “ since the first introduction of the present form of government, it appears unlikely that the Board of Control and the Court of Directors should ever cordially agree regarding the political administration of India ; and as their frequent disagreement must produce the worst of consequences, some means will probably be devised of making the authority which is actually to direct and control the political affairs of India more efficient to its large functions, and of avoiding a collision at the very source of authority, which must, while it continues, spread weakness and distraction among all who are subject to it.”

This opinion was given to the public in 1811, and all the experience of the last twenty years

* Political History of India, vol. ii. p. 95.

has tended to confirm the soundness of it. To what extent collision has occurred between the superintending authorities—to what height disputes have been carried between parties contending in the Direction; and what has been the result of such contests upon the public interests, can only be known by a careful examination of the records of the two departments since the renewal of the charter which is about to expire.

Such an examination would appear to be a primary duty of the committee which is now sitting upon India affairs; for it is impossible that Parliament should be able to determine whether the existing system shall be maintained, or another substituted, unless they have adequate information before them of the practical operation of the former.

It is, indeed, admitted by those who are still anxious to preserve the present system in its main features, that without considerable alterations it cannot go on, and that nothing but the temper and moderation of those who have been placed at the head of its separate departments has hitherto prevented the entire derangement of its functions.

By curtailing the powers now vested in the Board of Control, and adding to those of the Directors, as has been proposed by some, we

should undoubtedly aggravate the existing evils, for the two departments being then somewhat upon an equality, would be more disposed to contest than they now are, when the power is, in fact, all on one side. Such a proposition, moreover, pre-supposes the continuance of a double agency for the government, with the complicated machinery which belongs to it; and this would appear to be one chief cause of what is pernicious in the system.

The distance of India from England, the constant changes which take place, and which under every system must continue to take place amongst the European agents who are employed in the administration abroad, render it imperatively necessary that the organ of government at home should be more simple, more efficient, and at the same time of a more permanent character than it now is; that the instruments employed in directing it should, to a certain extent at least, be persons of extensive local knowledge, so that those who hold the reins at home may be rendered more competent to direct and restrain those, who in rapid succession, administer its affairs abroad.

In order to provide such an organ we must either re-establish the COMPANY's government, giving to the Court of Directors the plenary powers which they enjoyed previous to the act

of 1784, and reconstitute the Court of Proprietors as the Parliament for India affairs; or, to use the more emphatic words of Lord Grenville, "if we really wish the Company to re-
 "assume the political government of India, we
 "must repeal, not continue, the present laws;
 "we must replace them, not by the successive
 "improvement of new provisions, in principle
 "still more liberal, in operation still more beneficial, but by a recurrence to exploded
 "errors, by the re-establishment of that fruitful
 "source of all the former evil, by the re-enactment of that ruinous and oppressive system
 "which, thirty years ago, was unanimously
 "annulled by Parliament;"* or we must go one step in advance of the present laws, and administer the government of India in the name of the authority in which Parliament has already vested the power and the responsibility.

Although ministers were prevented, by the critical state of Europe in 1813, from proposing those changes which would have been necessary if they had determined to apply the remedy to the defects of the existing system which Lord Grenville had suggested—namely, to place the government of India under the direct authority of the crown; yet the intimate knowledge which Lords Buckinghamshire and Castlereagh, then the ministerial organs in

* Parliamentary Debates, vol. xxv. p. 723.

Parliament, had acquired in every branch of the subject, enabled them to state with confidence that there could be no difficulty in making the necessary arrangements for the transfer, should circumstances render it advisable to do so.*

Lord Buckinghamshire, indeed, distinctly stated, that "if the Company should reject the propositions which would be made to them, he was satisfied there could be no difficulty in substituting the *name* of the crown for that of the Company; and that means might be easily adopted for placing the appointments in India under that species of management, which would not tend in any degree to injure the principles of the constitution by increasing the influence of the crown."†

His lordship's experience of the manner in which the correspondence with India was conducted, must have satisfied him that in order to render the Board of Commissioners, over which he presided, an adequate instrument for the government of India, all that was necessary was, that one of those Commissioners should be permanently attached as a member of the Board; that others of the Commissioners (supposing them to be duly qualified) should be made effective heads of the great departments into which the Indian government is divided – namely, the political, the military, the revenue, and the judicial.

* Parliamentary Debates, vol. xxv. p. 25.

† Ibid. vol. xxvi. p. 786.

The establishments now maintained by the Board of Commissioners, with such additions as might be found necessary from the establishments at the India-house, would, it is presumed, render that Board perfectly competent to the conduct of the correspondence with India, without the complicated machinery which now more than doubles the labour and the charge of the administration for India. The President of the Board, as a cabinet minister, would under such an arrangement still go out with his party, while the permanently attached member, with one or two other Commissioners who might be declared ineligible to vote in Parliament, would remain in office, by which means the serious inconvenience which is now felt from frequent changes at the Board would be avoided.

This is not the place for entering into details, but there would certainly be no difficulty in providing effectually for every branch of the Indian administration, by uniting to a certain extent the separate establishments which are now maintained at Westminster and in Leadenhall-street, while every objection on the score of patronage might be obviated by specific regulations.

While such a change would be one rather of form than principle, it would produce at once the inestimable advantage of a full and regular

discussion of Indian affairs in Parliament. Public men are now ill informed upon these affairs, because their attention is seldom drawn to them: there is, in fact, a national indifference to what has not hitherto been considered a national concern.

But if the President of the Board of Commissioners was in name and ostensible responsibility what he is in reality, the King's minister for the Indian department; and if, as an ordinary part of his duty, he was obliged to bring the affairs of that department periodically before the legislature, the subject would excite as much interest, and awaken as much intelligence as any other question, foreign or domestic.

Public men would prepare themselves for it by an attentive study of India and its affairs, the opponents of ministers would naturally provoke debates on questions connected with that country, and individuals would be brought forward to explain such details as might not be easily apprehended by persons destitute of local knowledge.

The public servants in India would feel that their conduct was under the inspection, and their interests under the guardianship, of the national legislature.

The pay of the army being first regulated by act of parliament, that body would be relieved from all apprehension of losing what they con-

sider to be their undoubted right, an apprehension prevailing now to an extent that threatens a repetition of those scenes which broke out at Madras in 1809, and which terminated, as Lord Grenville remarked, "in civil discord, military resistance, and bloodshed."

India questions, as connected with the discussions in Parliament, would be taken up and brought prominently forward by the public press: information would in this way be elicited, and the affairs of India, which comprehend the policy, finances, commerce, and resources of a vast empire, and the interests of sixty millions of peaceful and industrious subjects, would gradually become familiar to Parliament, and the attention of the public mind be habitually turned to them.

A change in the system would seem to be advisable, not because it abounds in theoretic defects and anomalies, but because it contains within itself the elements of collision and delay—elements which are constantly called into action. This appears to be abundantly proved from the examples which have been given in this sketch of the practical effects of that system since its first establishment in 1784.

Referring to the discussions which took place in 1793, on the rights of sovereignty in India, Lord Grenville in 1813 expressed his opinion, that "a manly and distinct avowal of the so-

“vereynty of the British crown in India, is
 “a point of the highest and most pressing im-
 “portance, an indispensable preliminary in-
 “deed, to the direct assumption of the govern-
 “ment by the crown.”

Mr. Canning concurred in opinion with Lord Grenville, and observed that “he could not see
 “the delicacy of the proposition, that whenever
 “British subjects acquire dominion, it was not
 “to be subject to the permanent dominion of
 “the empire.”—“We had advanced little in this
 “business if it were now a doubt whether we
 “should be guided merely by expediency, or
 “acknowledge a right to take away the hands
 “of Parliament from touching the East India
 “territory.”—“Fortunately, the right and power
 “of interference did exist in Parliament, who
 “would consider the whole question in all its
 “bearings, without heeding the exaggerated
 “pretensions of these lords of Asia, to domi-
 “nions acquired by British enterprize, pur-
 “chased by British sacrifices, and yet held by
 “British arms.”*

The revival of such pretensions, Lord Grenville said, could only be prevented by the establishment, without delay, of “the king’s autho-
 “rity, both civil and military, over India, as
 “over every other part of his dominions, but
 “with such strict and scrupulous limitation of

* Parliamentary Debates, vol. 26, p. 473, 474.

“patronage, as we know by experience, or may
 “conclude by reason, to be effectual against
 “abuse.”*

The Ministers of the crown would then become responsible to the public for the effective superintendence which they now exercise over every branch of the Indian administration. “This check,” as Sir John Malcolm observes, “has been found sufficient to the management
 “of the affairs of the empire of Great Britain,
 “and would appear equal to the conduct of the
 “political government of the possessions of that
 “power in India.”

Having placed the government at home on the only “sure foundation on which it can
 “stand, the only solid principle on which we
 “can either discharge our duties, or maintain
 “our rights, we may proceed to inquire,
 “What system of British government *in India*,
 “shall carry to its highest pitch of attainable
 “advantage, our connexion with these vast
 “dominions.”†

Such an inquiry, however, can lead to no satisfactory results, unless we acknowledge it to be our imperative duty to “consult in the
 “first instance the welfare of the country for
 “which we undertake to legislate.”—“In a

* Lord Grenville, Parliamentary Debates, vol. xxv. p. 74.

† Ibid. 713.

“ British House of Lords, I trust,” continued Lord Grenville, “ we are not deliberating on “ the means of ruling sixty millions of men in “ sole subserviency to our own advantage.”— “ Are we not bound, above all other consi- “ deration to legislate for the moral improve- “ ment of the people, for the security of their “ property and personal freedom, for the undis- “ turbed enjoyment of the fruits of their in- “ dustry, for the protection and extension of “ their agriculture, manufactures and commerce, “ the peace and good order of their provinces, “ and the impartial administration of their laws?”

How little progress has hitherto been made towards the accomplishment of these great objects, is shown but too clearly in the minute of Lord Hastings, from which we have already quoted. What has led to the great revolution, which he describes as having been effected in the condition and character of the great mass of the people under our rule, is a question which we must endeavour to solve, before any thing effectual can be done towards the introduction of a better order of things.

Lord Hastings has furnished us with a clue to this inquiry, by ascribing these melancholy results generally to our regulations; and if we look through those regulations to the machinery by which they are dispensed, we shall probably arrive at the root of the evil.

The urgent necessities of the government, arising mainly from the costly agency through which it is administered, has compelled us, from our first acquisition of territory in India, to keep up our demands upon the people for revenue to the high standard to which it had attained under the native governments. This has effectually prevented any improvement from being made in their condition, while the whole system of our rule has had a direct tendency to debase their character.

“The main evil of that system,” said Sir Thomas Munro, who to the qualities of a great statesman united an enlarged experience of every branch of Indian affairs, “is the degraded state in which we hold the natives. We suppose them to be superstitious, ignorant, prone to falsehood, and corrupt; we exclude them from every situation of trust and emolument; we confine them to the lowest offices, with scarcely a bare subsistence; we treat them as an inferior race of beings. Those who under a native government might have held the first dignities of the state, who, but for us, might have been governors of provinces, are regarded as little better than menial servants, are often no better paid, and scarcely permitted to sit in our presence. We reduce them to this ab-

“ject state, and then look down upon them as
“men unworthy of high station.”*

Acting upon this opinion of our native subjects, we have engrossed every office of trust and emolument, and instead of employing the resources of newly-acquired territories as a means of alleviating the burthens which press so severely on the people, our first object has been to make provision for European functionaries, and for this purpose, we have gone on multiplying establishments, regardless of the lowness of our treasury, and of the just rights of the natives. Debts and difficulties have in consequence increased with the extension of our territory, until at length it is declared that a much larger revenue than was collected by Aurungzebe, is insufficient of itself to defray the charges of the empire.

Can we wonder at this, when we find that the salaries of the one thousand Europeans employed solely in the civil administration, amount annually to more than £2,000,000?

If the people from whom this large sum is drawn, had purchased with it a more efficient administration of justice, a more lenient system of revenue, and a better qualified agency for conducting public business, than their ancestors enjoyed; there might have been some compen-

* Life of Sir Thomas Munro, vol. ii. p. 184.

sation for the heavy expense which our establishments have entailed upon them, and for their exclusion from those offices of trust, which they alone filled under the native governments.

But Lord Hastings has informed us that the combined effect of our financial and judicial regulations has been to produce a complete revolution in the state of society, detrimental to general morals, destructive to property, and inconvenient to the government; and in order to form a judgment of the fitness of the agency employed in dispensing these laws, we must consult the opinions of those whose extensive personal experience enabled them to speak of it with confidence.

“Europeans,” says Sir H. Strachey, “are necessarily ill qualified in many respects to perform the duties required of them as judges and magistrates. I am fully convinced that a native of common capacity will, after a little practice, examine witnesses, and investigate the most intricate case, with more temper and perseverance, with more ability and effect than almost any European.”

“I cannot think,” observes Mr. E. Strachey, “an Indian would confide more in a European than in a countryman of his own, if their circumstances were the same; but in this in-

“ stance their circumstances are perfectly op-
 “ posite. Every thing combines to make the
 “ European honest and independent, and the
 “ native the contrary; reverse these circum-
 “ stances and I have no doubt their conduct
 “ would be reversed. As it is now, the Euro-
 “ pean judicial officer may, I think, be justly
 “ charged with want of ability; things which
 “ relate to the ordinary transactions of life can
 “ be well understood only by those who are
 “ familiar with concerns of the same sort.”

Mr. Ernst remarks, “ that the natives have
 “ now more reliance upon the uprightness of
 “ European judges, than of judges appointed
 “ from their own people; but this distinction is
 “ chiefly to be ascribed, I think, to the une-
 “ qual footing on which the natives are placed
 “ in all official situations compared with Eu-
 “ ropeans. The remuneration of the native
 “ judges consists of a miserable pittance, sel-
 “ dom amounting to more than fifty pounds a
 “ year, and sometimes to less than half that
 “ sum; yet, with few exceptions, I have found
 “ reason to be satisfied with their conduct, and
 “ in point of diligence and capacity for the trial
 “ of such causes as come before them, I believe
 “ them to be quite on a par with most of the
 “ European judges. They get through more
 “ business, and in general I have found their

“ decisions fair and satisfactory. If they received the TENTH PART OF THE SALARIES which are assigned to European judges, I have no doubt that their conduct would be so exemplary as to inspire the natives with confidence in their integrity.”

Mr. Cox—“ Judges appointed from the people would be more congenial to the natives from similarity of language and custom, often from professing the same religion, and entertaining the same respect for the same laws and institutes.

“ The natives view with jealousy all power and authority centering in Europeans, and it would be highly gratifying in them to participate in it.”

Colonel Wilkes—“ I conscientiously believe that for the purpose of discriminating the motives of action, and the chances of truth in the evidence of the Hindoos, the entire life of the most acute and able European judge, devoted to that single object, would not place him upon the level with an intelligent Hindoo puneyet.”

“ Colonel Walker—“ The natives are of the same nature as ourselves; they have the same notions of right and wrong; and if they do not always act up to these fundamental tenets, the failure is more to be ascribed to

“ the force of temptation, and the absence of
 “ restraint, than to any want of principle : they
 “ may, in respect of integrity, be trusted with
 “ the administration of justice. Of their di-
 “ ligence, talents, and capacity for business,
 “ every person must have had many proofs,
 “ who has ever transacted any considerable
 “ affairs in this country. It is moreover a con-
 “ sideration of the highest importance, that the
 “ expense, even of the imperfect European
 “ agency, exceeds what the public finances are
 “ able to afford.

“ In a civilized and populous country like
 “ India, justice can be well dispensed only
 “ through the agency of the natives themselves.
 “ Should additional courts be necessary, the
 “ increase ought to be made, not by employing
 “ additional Europeans, but by establishing a
 “ native court under a native judge. Such a
 “ man would decide more causes than any
 “ three European judges, and at least in as
 “ satisfactory a manner.”

Sir H. Strachey.—“ Nothing is more com-
 “ mon, even after a minute and laborious inves-
 “ tigation of evidence on both sides, than for
 “ the judge to be left in doubt respecting the
 “ points at issue.

“ It is my opinion that all the judicial func-
 “ tions of Bengal might gradually be thrown

“ into the hands of the natives, and that the
 “ business would be as well conducted, under
 “ our regulations, by the natives, as by Eu-
 “ ropeans, perhaps better, and at one tenth the
 “ expense.

“ I am afraid that the Ryots, who compose
 “ the great mass of the population, are *in all*
 “ *respects*, but their exemption from personal
 “ violence, in as bad a state as ever, and that
 “ of late years they have suffered more from
 “ exaction than they ever did before. Our
 “ judicial system has failed in the most impor-
 “ tant object of all law, the securing the great
 “ body of the people from oppression.” *

Twenty years have elapsed since the Court of Directors obtained the almost unanimous opinion of some of the most distinguished of their servants, civil and military, that justice might be as well, if not better, administered by natives than Europeans, and at one tenth the expense.

In the very year that opinion was given—namely, in 1813—the Bengal government made application to the Court of Directors for sixty Europeans, to be employed chiefly in judicial functions. In 1823 they made a further application for eighty, assigning “ the flourishing
 “ state of their finances ” as one reason why

* Printed Selections, vol. ii. p. 1—121.

the demand should be complied with. They were upon that occasion reminded, that “when
 “the revenues of a state were more than
 “sufficient to defray the necessary expenses
 “incurred on account of its government and
 “defence, the people are entitled to look for
 “relief from part of the burthen.” “We shall
 “nevertheless,” the dispatch went on to say,
 “use every endeavour to comply with your
 “application to the full extent of the means
 “we possess, and we hope to be able to add
 “considerably to your usual annual supply.”
 That hope was realized, and the Ryots of Bengal continue to pay a tax equivalent to half the gross produce of their lands.

With these facts before us, can we be surprised that the people of India should question our motives, in not only keeping up these costly European establishments where they have long had root, but in extending them to newly-acquired territories? can we be surprised that
 “the bulk of the people should attribute the
 “establishment of the system to national custom, while a few of the more reflecting ascribe
 “it to the desire of augmenting European patronage?”

If we turn from the civil to the military department, we shall find the same systematic depression of the natives. In our first despe-

rate struggles for empire, under Lawrence, Clive, Calliaud, and Coote—when the sepoy was constantly liable to come into collision with the European soldier, he fought our battles manfully under his own native officers, who were instructed and encouraged by an European commandant and one or two subalterns; we have gradually increased the number of European officers as our enemies have become less formidable, until at last, although natives have now only natives to contend with, we have rendered it utterly impossible for them ever to rise to command.

It must be obvious that by persevering in this system, while we continue to exact from the natives a high revenue for the payment of expensive establishments, we “shall not consult the welfare of the country for which we undertake to legislate, or do any thing towards the moral improvement of its people.”*

“That work of improvement,” says Sir Thomas Munro,† in whatever way it may be attempted, must be very slow, but it will be in proportion to the degree of confidence which we repose in them, and to the share which we give them in the administration of public affairs. While their prospects are so bounded, every project for bettering their characters

* Lord Grenville, Parliamentary Debates, vol. xxv. p.

† Life of Sir Thomas Munro, vol. ii. p. 184.

“ must fail; and no such projects can have the
“ smallest chance of success unless some of
“ these objects are placed within their reach,
“ for the sake of which they are urged to exer-
“ tion in other countries.”

To natives of rank and liberal education no temptation is now held out which can induce them to engage in the service of our government; not only are the emoluments offered scanty, but the want of confidence in them, the general light in which they are viewed, cannot fail to inspire them with dissatisfaction and disgust. A very little consideration will be sufficient to show that no circumstance can tend more strongly than this to impair the efficiency of our government, and to render its duration precarious.

“ This admission of natives to offices of
“ honour and profit is the only mode by which
“ they can be effectually conciliated.” By the higher classes of society their exclusion from the paths of honourable ambition must ever be considered a severe injustice, and the lower orders, taking their tone from their natural superiors, will in time be taught to consider it as a hardship that all their affairs are administered by strangers. At present there is no organ by which government can communicate with the people, can act upon their minds, or claim their co-operation in any public measure.

“ The question here is not one which relates to the integrity or the capacity of the natives, “ it relates to the unerring laws and feelings “ of human nature.” The Romans, whose business was conquest, may be safely taken as guides in the art of holding nations in subjection ; that wise people always left a great share of the administration of the countries they subdued in the hands of the natives. The Mussulmans followed their example, for under most of the Mahomedan governments of Hindostan the higher offices in the civil administration, particularly in the departments of finance, were frequently filled by Hindoos, who in society maintained a perfect equality with their conquerors.

We have followed a policy directly the reverse ; the consequence has been the gradual extinction of the officers of the old government, the decay of many of the most respectable native families, and a general deterioration in the native character. In return we have given them a judicial system ruinously expensive, and utterly unsuited to their character and usages, and a settlement of the revenue under which the Ryot is burthened in perpetuity with a tax equal to half the gross produce of his lands.

Under such a rate of tax it is impossible that capital should accumulate, and without

capital the native of India can never become a consumer, to any extent, of British manufactures. The people of England have therefore a common interest with the people of India in introducing a more economical, and at the same time a more efficient government into the territories of that vast empire.

The practical statesman, who desires to deal with this great question of Indian government with a view to its settlement upon such a basis as shall be conducive to the interests of both countries, will see the necessity of ascertaining, in the first place, under what system of government the empire was administered before we obtained possession of it, and what were the results of that government upon the great mass of the people.

Instructed by history that Hindostan, before the Mahomedan invasion, had reached to a higher pitch of order, riches, and population, than it has since attained—that vestiges of public works, both of utility and ornament, are to be found throughout India, which afford indisputable evidence of the existence, at former periods, of tranquil and prosperous governments, both under the Hindoo and Mussulman dynasties—instructed by the same authority that violations of person and property were frequent, if not habitual, under those governments—that

gross corruption often prevailed—that a high revenue was exacted, if necessary, with the aid of the rack and the thumb-screw—he will set himself diligently to inquire into the causes which led to prosperous results on the one hand, and to odious abuse on the other.

If, in the course of such inquiry, he should be led to conclude, that it was not *owing* to the laws, institutions, and usages of civil government, under which the natives of India had lived from a remote antiquity; but from a *violation* of those laws, both by the Hindoo princes and their Mussulman conquerors, that every vice of the native governments is to be traced—he will, perhaps, see reason to regret, that instead of endeavouring to provide against a recurrence of this abuse, we should have broken the whole machine to pieces, for the purpose of constructing another, after the models of our own country.

If he should find, that under the Mussulman government of Suja Khan, and of Saadut Oola Khan, and recently under the Hindoo governments of Poorneah and Allia Blye, in Mysore and Malwa, person and property were better protected, and justice more speedily and effectually dispensed than in the territories of the British government—if he should find, at the same time,

that the introduction of our regulations produced a serious insurrection, in Cuttack, where the internal administration was so good, even under the notoriously bad government of the Mahrattas, that little or no business was found for our judges, when they first visited the province ;— the statesman upon whom the arduous task of proposing a plan for the future government of India has devolved, may question the propriety of maintaining the costly and intricate machinery of our present system, which by delegating the powers of government to subordinate boards, cuts off the executive from all communication with the people, and which, without reference to their opinions, habits, and circumstances, compels them to pay large salaries to two European functionaries, for doing very imperfectly the duties, which under former governments was done, for a small stipend, by one native.

One thing is certain, that no amelioration can be made in the condition of the people, until the administration is placed upon a more economical and, at the same time, a more efficient footing. The foundation, therefore, of improvement must be laid in a self-denying ordinance, by which those in whom the patronage of India is vested, shall be restricted from

exercising it, until there shall be an absolute necessity for a further supply of Europeans for the civil and military administration of India. Our object should be to give to the natives as large a share in that administration as may be consistent with our own ascendancy. —“ All real military power must be kept in “ our own hands ; but they might, with advantage hereafter, be made eligible to every “ civil office, under that of a member of the “ government :* the change should be gradual, “ because they are not yet fit to discharge “ properly the duties of a high civil employment, according to our rules and ideas ; but “ the sphere of their employment should be “ extended in proportion as we find that they “ become capable of filling properly higher “ situations.”

The first step towards improvement in the constitution of the government in India would appear to be to free the Governor-General from all details of administration, and thereby enable him to exercise with effect his high functions of superintendence and control over every part, and over every department, of the empire.

We might then proceed to provide a remedy for the frequent abuses which are found to prevail in the provincial administration, under the

* Life of Sir Thomas Munro, vol. iii. p. 58.

present system of Boards, which interfere between the government and the executive officers; placing all departments, within a certain range, under a deputy of the Governor-General, exercising such powers as were formerly vested in Lord Cowley, when, as Mr. Wellesley, he was Lieutenant-Governor of Oude; and more recently by Sir John Malcolm in Malwa, by Mr. Elphinstone in the Deckan, and at this moment, it is believed, by the Resident at Dehli.

One Deputy Governor for Bengal Proper; another for the upper provinces of Bengal; a third for Central India; a fourth for Bombay, the Konkan Poonah, and the southern Mahratta states; a fifth for the territory extending from Aurungabad to the Kishna; a sixth, for the central provinces of Madras; a seventh for the southern and western; and an eighth for the northern provinces and Cuttack;—would be sufficient for the supervision of the whole administration, civil and military, within their respective circles, and these officers should form the only direct channels of communication with the Governor-General.

All the details of the revenue, judicial, and commercial departments might be left with natives, subject to the effective control of a European superintendent for each district, aided

by native assessors as a council, not of control but of advice.

The superintendent and his native assistants might, at the same time, exercise the functions of a court of appeal. And in order to provide an adequate tribunal for the trial of cases between Europeans residing in the provinces, the superintendents of districts might be authorized to call in military officers as assessors.

The deputy-governors should be required to prepare, in a prescribed form, and in duplicate, periodical reports of the principal transactions, within their respective jurisdictions, one to be transmitted to the Governor-General, the other direct to the authorities in this country.

Such reports, drawn up in a shape that would admit of easy reference to the different subjects contained in them, would not only facilitate correspondence, but would enable the authorities in this country to exercise a wholesome check on the proceedings of the Governor-General; while that great functionary might be further controlled by a Privy Council, to be composed of the Chief Justice of the Supreme Court, the Bishop, the Commander-in-Chief, and the principal officers of the government.

The ministerial officers now attached to the supreme government would continue with the Governor-General; while a secretary, with deputies, would be an establishment sufficient

to enable the lieutenant-governors to keep up their correspondence with the district-officers, and with the Governor-General.

If the principle of such an arrangement for the government of India should be approved, the establishments which were employed by Sir John Malcolm and Mr. Elphinstone, when they administered the governments of Malwa and of the Deckan, might be taken as a guide for those of the proposed subordinate jurisdictions.

As such an arrangement would involve an entire remodelling of the governments of Madras and Bombay, and the abolition of all subordinate boards and agencies, the expenses of the civil administration might, it is presumed, be reduced nearly one half; while the government itself would be made infinitely more efficient and more palatable to the natives than it now is.

The saving, indeed, would be still larger, if the legislature should see fit to release the natives from the compulsory jurisdiction of the supreme courts, for one supreme court at each of the presidencies would then be sufficient. There are now two—the King's Supreme Court, and the Company's, or Sudder Adawlet.

An increase would however be necessary in the military department, as in the event of intrusting natives with some degree of command

in regiments, it might be necessary to increase our European force, both in men and officers; so that upon occasions of emergency, officers might be drawn from the European regiments, to do duty with the Sepoy battalions.

An augmentation of the pay and allowances of the European commandants of those battalions would also be advisable; but the additional expense which this would occasion might be met, by employing the natives largely in the civil duties of the commissariat, and by exercising every possible degree of vigilance over the military contingent expenses, which always press with peculiar severity upon our finances.

The consolidation of the armies of the three presidencies into one body, placed under the King's immediate protection and command, appears to be indispensably necessary, in order to put a stop to the jealousies which prevail, not only between the King's and Company's officers, but between the officers of the three establishments. We should then hear no more complaints of the honours awarded to the Bengal army for a service of six months' duration at Bhurtpore, and the refusal of such honours to the Madras army, who were employed in three harassing campaigns in Ava.

"This army," says Lord Grenville, "might be

“ taken as a distinct force, preserving to it all its
 “ local character and local advantages, securing
 “ to it a complete parity of rank and promotion
 “ with the King’s general army, and blending
 “ only the staff of both into one body of gene-
 “ ral officers, qualified by commission as well
 “ as by merit and service, and called by habi-
 “ tual and indiscriminate appointment to exer-
 “ cise command over British troops in every
 “ quarter of the world. I regard the difficulty
 “ of settling the military establishment of India
 “ on any other secure or satisfactory footing,
 “ as most powerful recommendation of the
 “ arrangement I have suggested (namely, the
 “ establishment of the King’s authority over
 “ the government of India), I might rather say,
 “ as a decisive argument for its adoption.”

It may be asked, what provision is to be made
 for those who, under the contemplated arrange-
 ment of the government, would lose office in
 India? The answer is this, that it would be for the
 advantage of the people of that country to con-
 tinue to pay *for a few years* the present amount
 of revenue, in order to make a provision for such
 functionaries as might be obliged to retire, pro-
 vided a *future reduction was ensured to them*,
 as the consequence of a government more eco-
 nomical, and administered by their own coun-
 trymen. The accumulations of the retreat

funds, after providing for all valid claims upon them, might also be appropriated to this purpose, and there cannot be a doubt, that by an economical arrangement in the military contingent expenditure, means would be found for defraying this temporary charge, and when that shall cease, provide a fund that might be made applicable to the improvement of road and water communications, objects of the greatest importance, when the extent of the empire, and its distance from the mother country are considered.

It has been already stated, that without a reduction in the rate of assessment capital cannot accumulate, that without capital there can be no very considerable increase in the consumption of British manufactures in India; and that the people of England, therefore, have a common interest with the people of India in introducing every practical degree of economy into the government; because "there exists, "between them a close connexion, a necessary "and mutual dependence."*

Moreover, in proportion as the administration is confided to natives, in the same degree does the danger from colonization diminish, because the more the character of the native is elevated, the more capable does he become of resisting

* Lord Grenville.

oppression. When he feels himself in some degree upon a par with the European, he will be disposed to cultivate habits of social intimacy with him, and to receive, without jealousy at least, every effort that may be made to impart the arts and sciences of Christendom.

If, in the arrangement which is now about to be made for our eastern empire, the principle laid down by Lord Grenville should be adopted, that the natives of India, as “subjects of the same sovereign, members “of the same community, submitting themselves with equal obedience to the same “legislature, are entitled to receive from it “the same protection : varied, indeed, in form, “and adapting itself in its regulations to the “differences of local situation and moral character, but directed always with an *impartial* “*hand* to the same common object, that of “promoting the strength and greatness of the “whole, by carrying to the utmost practicable “height the prosperity of every part;”—then we may hope that what has been asked for them may be granted, under a conviction that there exists between England and India “a “close connexion, a necessary and mutual dependence;” and that, in consequence, what confers benefits upon the people of one country

must eventually prove advantageous to their fellow-subjects in the other. *

“There is one great question,” said Sir Thomas Munro, “to which we should look in all our arrangements,—what is to be their final results on the character of the people? Is it to be raised, or is it to be lowered? Are we to be satisfied with merely securing our power and protecting the inhabitants, leaving them to sink gradually in character, lower than at present, or are we to endeavour to raise their character, and to render them worthy of filling higher situations in the management of their country, and of devising plans for its improvement? It ought undoubtedly to be our aim to raise the minds of the natives, and to take care that whenever our connexion with India might cease, it did not appear that the only fruit of our dominion there, had been to leave the people more abject, and less able to govern themselves than when we found them.

“We should look upon India not as a temporary possession, but as one which is to be maintained permanently, until the natives shall in some future age have abandoned most of their superstitions and prejudices, and become sufficiently enlightened to frame

* Life, vol. ii. p. 174.

“ a regular government for themselves, and to
 “ conduct and preserve it. Whenever such a
 “ time shall arrive, it will probably be best for
 “ both countries, that the British control over
 “ India should be gradually withdrawn. That
 “ the desirable change here contemplated may
 “ in some after age be effected in India, there
 “ is no cause to despair. Such a change was
 “ at one time, in Britain itself, at least as hope-
 “ less as it is here. When we reflect how
 “ much the character of nations has always
 “ been influenced by that of governments, and
 “ that some, once the most cultivated, have sunk
 “ into barbarism, while others, formerly the
 “ rudest, have attained the highest point of
 “ civilization, we shall see no reason to doubt,
 “ that if we pursue steadily the proper mea-
 “ sures, we shall in time so far improve the
 “ character of our Indian subjects, as to enable
 “ them to govern and protect themselves.

“ With what grace can we talk of our pater-
 “ nal government, if we exclude our native
 “ subjects from every important office, and
 “ say, as we did till very lately, that in a
 “ country containing fifteen millions (under
 “ the government of Madras) of inhabitants, no
 “ man but an European shall be entrusted
 “ with so much authority, as to order the pu-
 “ nishment of a single stroke of a rattan?

“ Such an interdiction is to pass a sentence of
 “ degradation on a whole people, for which no
 “ benefit can ever compensate. There is no
 “ instance in the world of so humiliating a sen-
 “ tence having ever been passed upon any
 “ nation. We profess to seek their improve-
 “ ment, but propose means the most adverse to
 “ success. The advocates of improvement do
 “ not seem to have perceived the great springs
 “ on which it depends ; they propose to place
 “ no confidence in natives, to give them no
 “ authority, and to exclude them from office as
 “ much as possible ; but they are ardent in their
 “ zeal for enlightening them by the general dif-
 “ fusion of knowledge.

“ No conceit more wild and absurd than this
 “ was ever engendered in the darkest ages ; for
 “ what is in every age, and every country, the
 “ great stimulus to the pursuit of knowledge,
 “ but the prospect of fame, or wealth, or power ?
 “ or, what is the use even of these great attain-
 “ ments, if they are not to be devoted to their
 “ noblest purpose, the service of the commu-
 “ nity ; by employing those who possess them
 “ according to their respective qualifications in
 “ the various duties of the public administra-
 “ tion of the country ?”—“ Let Britain be sub-
 “ jugated by a foreign power to-morrow ; let
 “ the people be excluded from all share in the

“government, from public honours, from every office of high trust and emolument, and let them in every situation be considered as unworthy of trust. All their knowledge, and all their literature, sacred and profane, would not save them from becoming, in another generation or two, a low-minded and deceitful race.”

“In proportion as we exclude the natives from the higher offices, and from a share in the management of public affairs, we lessen their interest in the concerns of the community, and degrade their character. It would certainly be more desirable that we should be expelled from the country altogether, than that the result of our system of government should be such a debasement of a whole people.”

THE END.

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